

CERTIFIED TRUE COPY

RECEIVED AND FILED
WITH THE
N.J. BOARD OF DENTISTRY
ON 11-17-89 cm

PETER N. PERRETTI, JR.
ATTORNEY GENERAL OF NEW JERSEY

By: Vicki A. Mangiaracina
Deputy Attorney General
Division of Law, Room 316
1100 Raymond Boulevard
Newark, New Jersey 07102
Tel: (201) 648-4735

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY

In the Matter of)	
)	Administrative Action
IVETTE DAUHAJRE, D.D.S.)	CONSENT ORDER
)	

This matter was opened to the State Board of Dentistry ("Board") upon receipt of information from the Enforcement Bureau, Division of Consumer Affairs Professional Boards, that Ivette Dauhajre, D.D.S. was observed inhaling nitrous oxide while engaged in the practice of dentistry. By Consent Order filed June 12, 1989, Dr. Dauhajre agreed to voluntarily cease and desist from the practice of dentistry in New Jersey pending the Board's receipt and review of a psychological report from a Board appointed psychologist concerning Dr. Dauhajre's fitness to practice dentistry. The Board has reviewed the Enforcement Bureau report in this matter and the psychological evaluation of Dr. Dauhajre prepared by Dr. Frank J. Dyer, the Board appointed consultant.

The parties being desirous of resolving this matter without recourse to formal proceedings and for good cause shown,

IT IS ON THIS 15th DAY OF November, 1989,
HEREBY ORDERED AND AGREED THAT:

1. Dr. Dauhajre may resume the practice of dentistry in New Jersey only as the employee and under the supervision of a New Jersey licensed dentist. Dr. Dauhajre shall provide to the Board the name and address of the employing dentist and she shall cause the employer to submit reports to the Board evaluating her competence and performance on a quarterly basis. Any employer shall be required to indicate to the Board that Dr. Dauhajre's use of nitrous oxide in dental procedures is either prohibited by them or is being adequately supervised to prevent abuse.

2. Dr. Dauhajre shall submit to and make herself available for urine monitoring on a random, unannounced basis, once a month. The urine specimens shall be taken at the Roche Biomedical Laboratories, 650 First Avenue, New York, New York 10016. The urine monitoring shall be conducted with direct witnessing of the taking of the samples. The initial drug screen will utilize the EMIT technique and all confirming tests and/or secondary tests will be performed by gas chromatography/mass spectrometry. The testing procedure will include a forensic chain of custody protocol to ensure sample integrity and to provide documentation to withstand a legal challenge. All test results shall be reported in writing to William Gutman, Executive Director of the Board of Dentistry or his successor, or his designee in the event he is unavailable. The Board retains sole discretion to modify the manner of testing in the event technical developments or individual requirements indicate that a different methodology or approach

is required in order to guarantee the accuracy and reliability of the testing. Any failure by Dr. Dauhajre to submit or provide a urine sample within 24 hours of a request will be deemed to be equivalent to a confirmed positive urine test. In the event Dr. Dauhajre is unable to appear for a scheduled urine test or provide a urine sample due to illness or other impossibility, consent to waive that day's test must be secured from Executive Director Gutman. Dr. Dauhajre shall be responsible for all costs connected with the urine monitoring program.

3. Dr. Dauhajre shall provide appropriate releases to any and all parties who are participating in the monitoring program described herein as may be required in order that all reports, records and other information may be provided to the Board in a timely manner.


4. Dr. Dauhajre shall surrender her Controlled Dangerous Substances Schedule II privileges in New Jersey and she shall not possess such substances except pursuant to a bona fide prescription written by a physician for good medical cause in her own treatment. Dr. Dauhajre shall cause any physician or dentist who prescribes medication which is a Controlled Dangerous Substance to provide a written report to the Board together with patient records indicating the need for such medication. Such report shall be provided to the Board no later than seven (7) days subsequent to the prescription in order to avoid any confusion which may be caused by a confirmed positive urine test as a result of such medication.

5. Dr. Dauhajre shall submit to psychotherapy with the

goal of enhancement of personal maturity, autonomy, and impulse control and to counseling specifically targeted at drug abuse behavior. She may remain with her present therapist for this work. Dr. Dauhajre shall cause the therapist to provide quarterly reports to the Board with respect to Dr. Dauhajre's attendance at and progress in therapy.

6. In the event that Dr. Dauhajre violates any of the provisions of this Order, or in the event that the Board receives any reliable information such as, but not limited to, a report of a confirmed positive urine from the party responsible for monitoring Dr. Dauhajre's urine, which reveals evidence of Dr. Dauhajre's use of an addictive substance, the Attorney General may, on short notice, move before the Board or a designated Board member for suspension or revocation of Dr. Dauhajre's license to practice dentistry or for any other relief as may be in the public interest.


7. Dr. Dauhajre may apply for modification of the terms and conditions of the within Order no sooner than one (1) year from the entry date of this Order. Dr. Dauhajre shall submit to a psychological evaluation by a Board appointed psychologist, at her own expense, prior to any application for modification of the terms of this Consent Order.



SAMUEL E. FURMAN, D.D.S.
PRESIDENT
STATE BOARD OF DENTISTRY

I have read the within Consent Order and understand its terms. I hereby consent to its entry and agree to be bound by the Order's terms.


IVETTE DAUHAJRE, D.D.S.



HOWARD BUSHIN, ESQ.
Attorney for Dr. Dauhajre